

JUDGE BRIAN TSUCHIDA

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE

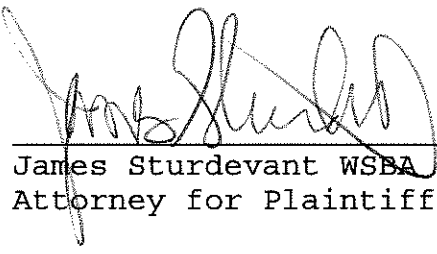
CHLOE R. KNIGHT fka HAGER and)	
IVAN KNIGHT husband and wife)	
and the marital community com-)	Case Number: 2:08-cv-1277
posed thereof,)	
)	
Plaintiffs,)	MOTION TO COMPEL CREDIGY
)	DISCOVERY AND FOR ADDITION-
v.)	AL TIME TO BRING MOTION TO
)	COMPELL ON ANY RESPONSE
)	
CREDIGY RECEIVABLES, INC., a)	
Nevada Corporation, MANN)	
BRACKEN, LLC, a Georgia Limited)	
Liability Company, ESKANOS &)	Hearing Date: June 5, 2009
ADLER, a California Profess-)	
ional Corporation, and DONNA)	
SMITH,)	Response Date: June 1,
)	2009
Defendants.)	

COME NOW the plaintiffs, by and through their attorney, James Sturdevant, and move this Honorable Court for an order compelling the defendant, Credigy Receivables, Inc., (Credigy) to respond in full to the attached discovery requests by the discovery cut off date, June 1, 2009, and for additional time to bring a motion to compel based upon the discovery responses. The reasons are outlined in the subjoined declaration.

DATED this 18th day of May, 2009.

MOTION TO COMPEL CREDIGY DISCOVERY AND
FOR ADDITIONAL TIME TO BRING MOTION TO
COMPELL ON ANY RESPONSE - 1/3

JAMES STURDEVANT
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James Sturdevant WSBA #8016
Attorney for Plaintiffs

DECLARATION

1. I am the attorney for the plaintiffs. I am an adult, am competent to testify on the matters outlined below and have personal knowledge of same.

2. Attached Exhibit A is a true and correct copy of Plaintiff's First Discovery Requests To Defendant, Credigy Receivables, Inc, and cover letter dated March 2, 2009. They were mailed to, John Long, the attorney for Credigy on March 2, 2009. Credigy has not responded to them in any way, shape, manner or form.

3. Attached Exhibit B is a true and correct copy of a letter sent I sent to Mr. Long on April 24, 2009.

4. Attached Exhibit C are true and correct copies of e-mails between Mr. Long and I on April 27, 2009.

5. Attached Exhibit D are true and correct copies of my two April 28, 2009 emails to Mr. Long.

6. We had the discovery conference on April 28, 2009. I sent Mr. Long new copies of the discovery requests.

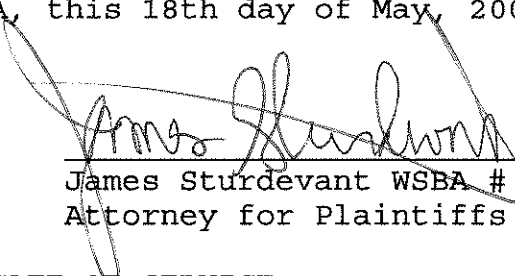
7. During later discussions with Mr. Long setting up mediation, he indicated that he would have the discovery responses to me on May 11, 2009. They have yet to appear.

MOTION TO COMPEL CREDIGY DISCOVERY AND
FOR ADDITIONAL TIME TO BRING MOTION TO
COMPELL ON ANY RESPONSE - 2/3

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1
2 8. I hereby certify and declare under penalty of
3 perjury under the laws of the State of Washington that the
4 above and foregoing is true and correct.

5 DATED at Bellingham, WA, this 18th day of May, 2009.

6
7 
8 James Sturdevant WSBA # 8016
Attorney for Plaintiffs

9 CERTIFICATE OF SERVICE

10 I hereby certify and declare that a true and correct
11 copies of the above MOTION TO COMPEL CREDIGY DISCOVERY AND
12 FOR ADDITIONAL TIME TO BRING MOTION TO COMPELL ON ANY
13 RESPONSE and PROPOSED ORDER were sent to John Long, attorney
for Credigy Receivables, Inc., via the ECF e-mail system this
18th day of May, 2009.

14 DATED this 18th day of May, 2009.

15 
16 James Sturdevant #8016
17 Attorney for Plaintiffs

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26
27 MOTION TO COMPEL CREDIGY DISCOVERY AND
28 FOR ADDITIONAL TIME TO BRING MOTION TO
COMPELL ON ANY RESPONSE - 3/3

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TELEPHONE 671-2990
AREA CODE 360

March 2, 2009

John Long
22525 SE 64th Place, Suite 262
Issaquah, WA 98027

Re: Knight, et ux. v. Credigy Receivables, Inc. et al.
U.S.D.C. Seattle Case No. C08-1277 BAT and discovery

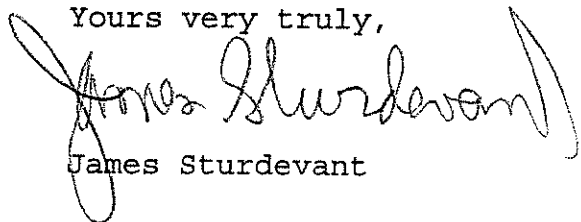
Dear Sir:

Enclosed are my initial discovery requests to Credigy Receivables, Inc., and a true & correct copy of my initial discovery requests to Mann Bracken, LLC, et al.

It puzzles me that you list no documents other than those which the Knights produced. From my experience, it would seem that your client would have documents about this debt and lawsuit.

With best regards,

Yours very truly,



James Sturdevant

cc: Ivan & Chloe Knight
Enclosures
JS:ah

Exhibit "A"

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE

CHLOE R. KNIGHT fka HAGER and)
IVAN KNIGHT husband and wife)
and the marital community com-) Case Number: 2:08-cv-1277
posed thereof,)
)
Plaintiffs,) PLAINTIFFS' FIRST DISCOVERY
) REQUEST TO DEFENDANT,
v.) CREDIGY RECEIVABLES, INC.
)
CREDIGY RECEIVABLES, INC., et)
ux.,)
)
Defendants.)
_____)

TO: DEFENDANT, CREDIGY RECEIVABLES, INC.;

AND TO ITS ATTORNEY: JOHN A. LONG;

The plaintiffs, Chloe Knight and Ivan Knight, by and
through their attorney, James Sturdevant, pursuant to Fed. R.
Civ. P. 33, 34, & 36 serve defendant, Credigy Receivables,
Inc. (Credigy Rec.), with the following interrogatories, re-
quests for production and requests for admissions.

INSTRUCTIONS - FOR PURPOSES OF THESE DISCOVERY REQUESTS

1. Any references indicating the use of masculine or
feminine and any references indicating the use of singular or
plural, shall be used interchangeably.

2. If any objection is made to any of the following
discovery requests, the Defendant shall make any such objec-

PLAINTIFFS' FIRST DISCOVERY REQUESTS

TO DEFENDANT CREDIGY RECEIVABLES, INC. - 1/22

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1 tion and state the relevant legal basis for such objection.
2
3 If any objection is made based upon a claim of privilege as
4 to any response, Defendant shall state the legal basis for
5 the privilege Defendant is invoking and provide a detailed
6 privilege log to support the invocation of such privilege.

7 3. Each and every discovery request herein is deemed con-
8 tinuing in nature pursuant to the Federal Rules of Civil Proce-
9 dure, and Credigy Rec. is obligated seasonably to amend and
10 provide any updated information that renders the responses to
11 one or more of these discovery requests and serve those amended
12 responses upon the undersigned Plaintiff's counsel.
13

14 4. Plaintiff requests that the documents be made avail-
15 able for this inspection at the offices of counsel for Plain-
16 tiff at 119 N. Commercial St. #310, Bellingham, WA 98225, or
17 at such office of Credigy, Rec. as may be the location of any
18 of the documents requested, during normal business hours,
19 with the least possible disruption to the ordinary course of
20 Defendants' duties and responsibilities.
21

22 5. Plaintiff further requests that this inspection be
23 permitted by Defendants immediately after Defendants' re-
24 sponse to this request has been filed, and that Plaintiff's
25 attorneys be permitted to remove from Defendants' custody
26

27 PLAINTIFFS' FIRST DISCOVERY REQUESTS
28 TO DEFENDANT CREDIGY RECEIVABLES, INC. - 2/22

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2 such documents as they may desire to copy, on the understand-
3 ing that Plaintiff's attorneys will be responsible for such
4 documents so long as they are in their possession, that copy-
5 ing will be done at Plaintiff's expense, and that the docu-
6 ments will be promptly returned after copying has been com-
7 pleted.

8
9 6. These interrogatories and discovery requests are in-
10 tended to cover all documents in Defendants' possession, or
11 subject to their custody and control, regardless of location.
12 If there are no such documents, please so state. If there
13 are such documents, please list and mark appended documents
14 responsive to each request. (Federal Rules of Civil Proce-
15 dure, Rule 34(b)).

16
17 7. Each interrogatory, admission and request for produc-
18 tion propounded herein should be answered upon your entire
19 knowledge from all sources and all information in your posses-
20 sion or otherwise available to you, including information from
21 your officers, employees, agents, representatives or consul-
22 tants and information which is known by each of them. An in-
23 complete or evasive answer is deemed a failure to answer.

24
25 8. If any answer is qualified, state specifically the
26 terms of each qualification and the reasons for it. If an in-

27 PLAINTIFFS' FIRST DISCOVERY REQUESTS

28 TO DEFENDANT CREDIGY RECEIVABLES, INC. - 3/22

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1
2 interrogatory cannot be answered in full, state the part which
3 can be answered and answer the same in full to the extent pos-
4 sible; state further and specifically the reason(s) why the re-
5 mainder cannot be answered.

6 9. If any interrogatory may be answered fully by a docu-
7 ment, the document may be attached in lieu of an answer if the
8 document is marked to refer to the Interrogatory to which it
9 responds.

10
11 10. If you have an objection to a request, especially
12 for "vagueness," "breadth," or "not reasonably calculated to
13 lead to the discovery of admissible evidence," call us. We
14 will try to limit the request or explain an ambiguity. The
15 Rules require us to try to work out discovery problems.

16
17 11. If you do not understand a word or a sentence,
18 please first consult Black's Law Dictionary, or, if not de-
19 fined there, Webster's Collegiate Dictionary. If, after
20 consulting Black's Law Dictionary or Webster's Collegiate
21 Dictionary, you still do not understand a word or sentence,
22 call us. We will be happy to define it for you.

23 DEFINITIONS - FOR PURPOSES OF THESE DISCOVERY REQUESTS

24 1. "Hager" means plaintiff Chloe Knight fka Hager.

25 2. "Credigy Rec." means Credigy Receivables, Inc., and
26

27 PLAINTIFFS' FIRST DISCOVERY REQUESTS

28 TO DEFENDANT CREDIGY RECEIVABLES, INC. - 4/22

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2 its employees or agents, individually and collectively, as
3 may be appropriate.

4 3. "Sturdevant" means the attorney of Chloe Knight aka
5 Hager and Ivan Knight, James Sturdevant.

6 4. "Court" means Whatcom County Superior Court

7 5. "Courts" means any other Washington State Trial
8 Court.

9 6. "Mann" means Mann, Bracken, LLC, Eskanos & Adler,
10 and Donna Smith and their employees or agents, individually
11 and collectively, as may be appropriate.

12 7. "Document" or "documents" means every writing or
13 recorded material of every type and description, of any kind,
14 that is in the possession, control or custody of Defendants,
15 which Defendants have knowledge, whether originals, copies or
16 facsimiles. Such writings or recordings include, but are not
17 limited to, collection notes, electronic computer collection
18 records, printouts of collection records, sample collection
19 letters, Metro-data tapes, diskettes, computer hard drives,
20 tape backups, Zip-type disks, magnetic media of any kind, cor-
21 respondence, memoranda, stenographic notes, handwritten notes,
22 contracts, documents, rough drafts, inter-office memoranda,
23 memoranda for the files, letters, research materials, logs, di-

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28 PLAINTIFFS' FIRST DISCOVERY REQUESTS
TO DEFENDANT CREDIGY RECEIVABLES, INC. - 5/22

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1 aries, forms, bank statements, tax returns, card files, books
2 of account, journals, ledgers, invoices, diagrams, minutes,
3 manuals, studies, publications, pamphlets, pictures, films,
4 voice recordings, reports, surveys, minutes, statistical compi-
5 lations, data processing cards, computer records, tapes, print-
6 outs, agreements, communications, state and federal governmen-
7 tal hearings, reports, correspondence, telegrams, memoranda,
8 summaries or records of telephone conversations, summaries or
9 records of personal conversations or interviews, diaries,
10 graphs, notebooks, note charts, charts, plans, drawings,
11 sketches, maps, summaries or records of meetings or confer-
12 ences, summaries or reports of investigations or negotiations,
13 opinions or reports of consultants, photographs, video tape,
14 motion picture film, digital photographs, brochures, advertise-
15 ments, circular, press releases, drafts, any marginal comments
16 appearing on any document, all other writings, books of all na-
17 ture and kind whether handwritten, typed, printed,
18 mimeographed, photocopied or otherwise reproduced, all tape
19 recordings (whether for computer, audio, or visual replay) and
20 all other written, printed, and recorded matter or tangible
21 things upon which words, phrases, websites, listservs, emails,
22 symbols or information of any kind are recorded, encrypted or
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28 PLAINTIFFS' FIRST DISCOVERY REQUESTS

TO DEFENDANT CREDIGY RECEIVABLES, INC. - 6/22

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2 otherwise stored.

3 8. "Identify" as applied to "document" is a request to
4 state the following, as applicable:

- 5 a. The date of the document;
6 b. The type of document;
7 c. The names and present addresses of the person or per-
8 sons who prepared the document and of the signers and
9 addressers of the document;
10 d. The name of the employer or principal whom the sign-
11 ers, addressers and preparers were representing;
12 e. The present location of the document;
13 f. The name and current business and home addresses of
14 the present custodian of the original document, and
15 any copies of it;
16 g. A summary of the contents of the document; and
17 h. If the original document was destroyed, the date and
18 reason for or circumstances under which it was de-
19 stroyed;

20 9. "Statement" means (a) a written statement signed or
21 otherwise adopted or approved by the person making it, or (b)
22 stenographic, mechanical, electrical, or other recording, or a
23 transcription thereof, which is substantially verbatim recital
24 of an oral statement by the person making it and contemporane-
25 ously recorded.

26 10. "Procedure" means the procedure defendants used in
27 obtaining the default judgment in the Whatcom County Superior
28 Court lawsuit or a procedure that is substantially the same
as outlined in Exhibits "A," "B," "C," "D," & "E" attached to
the complaint as follows:

- a) service of the summons and complaint before filing;

PLAINTIFFS' FIRST DISCOVERY REQUESTS
TO DEFENDANT CREDIGY RECEIVABLES, INC. - 7/22

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2 b) sending the "Notice Of Intent To Take Default Pur-
3 suant To CR 55(a)(3);"

4 c. filing the summons and complaint, the Motion and
5 Declaration For Order of Default and Default Judgment, Decla-
6 ration of Plaintiff In Support Of Default Judgment, and tak-
7 ing the Order of Default and Default Judgment as outlined in
8 Exhibits "A," "B," "C," "D," & "E" attached to the complaint
9 herein.
10

11 11. "Identify" when used in reference to the "Proce-
12 dure" described above requires you to state the plaintiff,
13 defendant, attorney, court and docket number of the Courts
14 and Other Courts in which Credigy Rec., Credigy and Mann use
15 the Procedure.
16

17 12. For the purpose of these requests, "describe in
18 full detail" means to describe every fact, circumstance, act,
19 omission, or course of conduct known to plaintiffs relating to
20 the event inquired about, including but not limited to the
21 date of the events, places of the events, identities of per-
22 son witnessing the events, identify of person with knowledge
23 of the events, location of documents (such as letters, re-
24 ports and e-mail) referring to or memorializing the events,
25 and location of visual depictions (such as charts, drawings,
26
27

28 PLAINTIFFS' FIRST DISCOVERY REQUESTS
TO DEFENDANT CREDIGY RECEIVABLES, INC. - 8/22

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2 or photographs) referring to or memorializing the events. It
3 shall further mean to describe the events inquired about to
4 the fullest extent possible, regardless of whether the facts
5 and circumstances of the even support or refute defendants
6 claims and contentions in this lawsuit.

7 13. For purpose of these requests, "Credigy" means all
8 companies with "Credigy" in their names and their employees
9 or agents, individually and collectively, as may be appropri-
10 ate.
11

12 14. For purpose of these requests, "Suit" means the case
13 of Credigy Receivables, Inc. v. Chloe E. Hager, Whatcom County
14 Superior Court Case No. 07-2-02108-2.

15 15. "Lawsuits" means any legal action brought by Credigy,
16 Rec., Credigy, and Mann in the name of any Court in Washington
17 State, whether filed or unfiled.
18

19 16. "Mann" means Mann, Bracken, LLC, Eskanos and Adler,
20 P.S. and Donna Smith.

21 17. "Debtor" means any person that any of the defen-
22 dants is attempting to collect money from in their course of
23 business in Washington State.

24 18. "Identify" when used in referring to a person or a
25 legal entity means the following:
26

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28 PLAINTIFFS' FIRST DISCOVERY REQUESTS
TO DEFENDANT CREDIGY RECEIVABLES, INC. - 9/22

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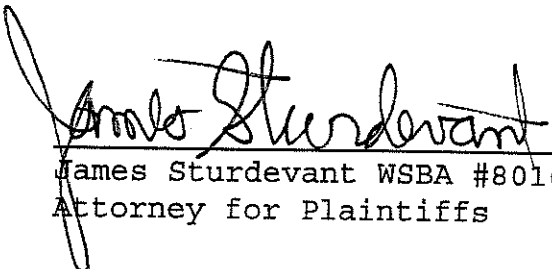
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2 a. First, last, and middle legal name;
3 b. All DBA, fake, or alias name(s) used by this person;
4 c. Job title or capacity;
5 d. Business address and telephone number;
6 e. **Home** address and telephone number;
7 f. Age;
8 19. "Person" means any natural person or legal entity of
9 any kind.

10 20. "Exhibits" means the Exhibits attached to the com-
11 plaint herein.

12 21. "Communications" means all contacts and attempted
13 contacts with persons and debtors whether written, oral, by
14 telephone or in person and shall include the service of any le-
15 gal papers.

16 22. "Obligation" means the payment of money.

17 DATED this 2nd day of March, 2009.

18 
19 James Sturdevant WSBA #8016
20 Attorney for Plaintiffs

21 INTERROGATORIES

22 INTERROGATORY NO. 1: Identify each individual person, of-
23 ficer, employee, agent, or other entity answering or providing
24 any information used to answer any Interrogatory.

25 ANSWER:

26 INTERROGATORY NO. 2: Identify each document referred to

27 PLAINTIFFS' FIRST DISCOVERY REQUESTS
28 TO DEFENDANT CREDIGY RECEIVABLES, INC. - 10/22

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2 or consulted by Defendants in the preparation of the Answers to
3 these Interrogatories and discovery requests made within this
entire document.

4 ANSWER:

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6 INTERROGATORY NO. 3: Identify all persons known to Defen-
7 dants to have personal knowledge of any facts or issues in-
volved in this lawsuit.

8 ANSWER:

9
10 INTERROGATORY NO. 4: Identify and describe in full detail
11 all training that Defendants provide or receive, in the area of
12 debt collection activities related to the collection of any ac-
counts, including but not limited to:

- 13 a. The training content, timing, and duration;
14 b. All documents and audio or visual materials used in
such training; and
15 c. Each person involved in providing such training.

16 ANSWER:

17 INTERROGATORY NO. 5: Identify and describe in full de-
18 tail all manuals, instructions, restrictions or other docu-
19 mentation or instructions Defendants use regarding how to,
and how not to, collect debts from persons.

20 ANSWER:

21
22 INTERROGATORY NO. 6: Identify and describe in full de-
23 tail Defendant's disciplinary policy for violating state and
24 federal debt collection laws, and for violating other state
or federal laws in the course of collecting debts of any kind.

25 ANSWER:

26 INTERROGATORY NO. 7: Identify and describe in full detail

27 PLAINTIFFS' FIRST DISCOVERY REQUESTS

28 TO DEFENDANT CREDIGY RECEIVABLES, INC. - 11/22

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2 any documents that describe, record, or establish each of the
3 Defendants' methods and techniques used to collect on debt col-
lection accounts.

4 ANSWER:

5
6 INTERROGATORY NO. 8: Identify and describe in full detail
7 any computer, manual, or other system(s) Defendant maintains or
8 operates to record any and all mail, telephone, in-person, or
9 other forms of communications, or attempted communications,
with persons or other third parties in connection with the col-
lection of accounts, and Defendants' policies and procedures
for operating such a system of records.

10 ANSWER:

11
12
13 INTERROGATORY NO. 9: Describe in full detail each and
every fact upon which you deny any admission.

14 ANSWER:

15
16 INTERROGATORY NO. 10: Identify any case in Courts in
17 which Credigy Rec. or Credigy or Mann has used the Procedure.

18 ANSWER:

19
20 INTERROGATORY NO. 11: Identify Jennifer Durden, Brett
Samsky, and Steve Stewart.

21 ANSWER:

22
23 INTERROGATORY No. 12: Identify all telephone nos. and e-
24 mails Credigy, Rec. uses and identify each telephone and e-
mail company.

25 ANSWER:

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27 PLAINTIFFS' FIRST DISCOVERY REQUESTS

28 TO DEFENDANT CREDIGY RECEIVABLES, INC. - 12/22

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3 INTERROGATORY NO. 13: Identify your Washington State
4 Department of Revenue, Washington State Department of Licens-
ing and Washington State Secretary of State Corporation Divi-
5 sion registrations.

6 ANSWER:
7

8 INTERROGATORY NO. 14: Identify all communications with
9 debtors in Washington State during 2005, 2006, 2007, 2008 &
2009 on behalf of Credigy and Credigy Rec.

10 ANSWER:
11

12 INTERROGATORY NO. 15: Identify all written communica-
13 tions to and from debtors in Washington State during 2005,
2006, 2007, 2008 & 2009 on behalf of Credigy and Credigy Rec.

14 ANSWER:
15

16 INTERROGATORY NO. 16: Please identify all entities with
17 "Credigy" in their names.

18 ANSWER:
19

20 INTERROGATORY NO. 17: Please identify the relationship
21 between and among all such Credigy entities including the
22 sharing of any officers, boards of directors, stock owner-
ship, and employees or agents, individually and collectively,
as may be appropriate.

23 ANSWER:
24

25 INTERROGATORY NO. 18: If the Credigy entities are re-
26 lated, please describe in full detail the function and pur-
pose of each entity.

27 PLAINTIFFS' FIRST DISCOVERY REQUESTS

28 TO DEFENDANT CREDIGY RECEIVABLES, INC. - 13/22

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2 ANSWER:

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4 INTERROGATORY NO. 19: Describe in full detail plain-
5 tiffs' negligence.

6 ANSWER:

7
8 INTERROGATORY NO. 20: Describe in full detail how
9 plaintiffs' negligence was the proximate cause of their dam-
10 ages.

11 ANSWER:

12 INTERROGATORY NO. 21: Describe in full detail plain-
13 tiffs' laches.

14 ANSWER:

15 INTERROGATORY NO. 22: Describe in full detail plain-
16 tiffs' estoppel.

17 ANSWER:

18 INTERROGATORY NO. 23: Describe in full detail plain-
19 tiffs' waiver.

20 ANSWER:

21
22 INTERROGATORY NO. 24: Describe in full detail plain-
23 tiffs' unclean hands.

24 ANSWER:

25
26 REQUESTS FOR ADMISSIONS

27 PLAINTIFFS' FIRST DISCOVERY REQUESTS
28 TO DEFENDANT CREDIGY RECEIVABLES, INC. - 14/22

JAMES STURDEVANT
ATTORNEY AT LAW
BELLINGHAM TOWERS #310
119 N. COMMERCIAL
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(360) 671-2990
E-MAIL: sturde@openaccess.org

1
2 REQUEST FOR ADMISSION NO. 1: Credigy Rec. admits that
3 it was attempting to collect a contract for the payment of
4 money in the Suit.

5 RESPONSE:

6
7 REQUEST FOR ADMISSION NO. 2: Credigy Rec. admits that
8 the obligation for the payment of money it is collecting or
9 attempting to collect arose out of a contract between Hager
10 and Discover Card.

11 RESPONSE:

12
13 REQUEST FOR ADMISSION NO. 3: Credigy Rec. admits that
14 its collecting or attempting to collect the obligation for
15 the payment of money that arose out of a contract between
16 Discover Card and Hager and is based on an assignment.

17 RESPONSE:

18
19 REQUEST FOR ADMISSION NO. 4: Credigy Rec. admits that
20 it has been and is engaged in activities in Washington State
21 with the object of gain, benefit or advantage to it during
22 2005, 2006, 2007, 2008, & 2009.

23 RESPONSE:

24
25 REQUEST FOR ADMISSION NO. 5: Credigy Rec. admits that
26 it has commenced, conducted and is continuing to engage in
27 activities in Washington State with the object of gain, bene-
28 fit or advantage to it during 2005, 2006, 2007, 2008, & 2009.

29 RESPONSE:

30
31 REQUEST FOR ADMISSION NO. 6: Credigy Rec. admits it is
32 a "debt collector" as defined in 15 U.S.C. § 1692(a)(6).

33 RESPONSE:

34
35 REQUEST FOR ADMISSION NO. 7: Credigy Rec. admits Mann

36 PLAINTIFFS' FIRST DISCOVERY REQUESTS

37 TO DEFENDANT CREDIGY RECEIVABLES, INC. - 15/22

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1
2 Bracken, LLC, is a "debt collector" as defined in 15 U.S.C. §
3 1692(a)(6).

4 RESPONSE:

5 REQUEST FOR ADMISSION NO. 8: Credigy Rec. admits Es-
6 kanos and Adler is a "debt collector" as defined in 15 U.S.C.
7 § 1692(a)(6).

8 RESPONSE:

9 REQUEST FOR ADMISSION NO. 9: Credigy Rec. admits Donna
10 Smith is a "debt collector" as defined in 15 U.S.C. §
11 1692(a)(6).

12 RESPONSE:

13 REQUEST FOR ADMISSION NO. 10: Credigy Rec. admits that
14 Mann represented it in the Suit.

15 RESPONSE:

16 REQUEST FOR ADMISSION NO. 11: Credigy Rec. admits that
17 Mann represent it in Lawsuits in Courts.

18 RESPONSE:

19
20 REQUEST FOR ADMISSION NO. 12: Credigy Rec. admits it
21 had Mann serve the summons and complaint (Exhibit "A") in the
22 Suit on Hager.

23 RESPONSE:

24
25 REQUEST FOR ADMISSION NO. 13: Credigy Rec. admits that
26 the summons and complaint (Exhibit "A") were not filed before
27 the were served.

28 PLAINTIFFS' FIRST DISCOVERY REQUESTS

TO DEFENDANT CREDIGY RECEIVABLES, INC. - 16/22

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1
2 RESPONSE:

3
4 REQUEST FOR ADMISSION NO. 14: Credigy Rec. admits that
5 the complaint did not contain any assignment of the Discover
6 Card debt.

7
8 RESPONSE:

9
10 REQUEST FOR ADMISSION NO. 15: Credigy Rec. admits Mann
11 sent Exhibit "B" to Sturdevant on its behalf.

12
13 RESPONSE:

14
15 REQUEST FOR ADMISSION NO. 16: Credigy Rec. admits that
16 plaintiff did not respond to Exhibit "B."

17
18 RESPONSE:

19
20 REQUEST FOR ADMISSION NO. 17: Credigy Rec. admits that
21 Sturdevant noted an appearance with Mann on behalf of Hager.

22
23 RESPONSE:

24
25 REQUEST FOR ADMISSION NO. 18: Credigy Rec. admits that
26 Mann filed Exhibits "A," "C," "D," & "E" with the Court on or
27 about September 11, 2007, under Case No. 07-2-02108-2.

28
29 RESPONSE:

30
31 REQUEST FOR ADMISSION NO. 19: Credigy Rec. admits that
32 Mann did not send notice of its filing the Exhibits above
33 with the Court to Sturdevant.

34
35 RESPONSE:

36
37 REQUEST FOR ADMISSION NO. 20: Credigy Rec. admits that

38
39 PLAINTIFFS' FIRST DISCOVERY REQUESTS

40
41 TO DEFENDANT CREDIGY RECEIVABLES, INC. - 17/22

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1
2 Mann did not inform the Court that Sturdevant had noted an
3 appearance on behalf of Hager.

4 RESPONSE:

5
6 REQUEST FOR ADMISSION NO. 21: Credigy Rec. admits that
7 Mann received Exhibit "F" attached.

8
9 RESPONSE:

10
11 REQUEST FOR ADMISSION NO. 22: Credigy Rec. admits that
12 Mann responded with Exhibit "G."

13
14 RESPONSE:

15
16 REQUEST FOR ADMISSION NO. 23: Credigy Rec. admits that
17 Mann received Exhibit "H."

18
19 RESPONSE:

20
21 REQUEST FOR ADMISSION NO. 24: Credigy Rec. admits that
22 Mann refused to vacate the default judgment in response to
23 Exhibits "F" & "G."

24
25 RESPONSE:

26
27 REQUEST FOR ADMISSION NO. 25: Credigy Rec. admits that
28 Hager brought and obtained a motion for show cause order to
vacate the default judgment.

RESPONSE:

24
25 REQUEST FOR ADMISSION NO. 26: Credigy Rec. admits that
26 Mann agreed to vacate the default judgment after it was
27 served with the show cause order.

28
RESPONSE:

PLAINTIFFS' FIRST DISCOVERY REQUESTS

TO DEFENDANT CREDIGY RECEIVABLES, INC. - 18/22

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1
2
3 REQUEST FOR ADMISSION NO. 27: Credigy Rec. admits that
4 Mann then vacated the default judgment on or about April 29,
2008.

5 RESPONSE:

6
7 REQUEST FOR ADMISSION NO. 28: Credigy Rec. admits that
8 Donna Smith represented it in the Suit.

9 RESPONSE:

10 REQUEST FOR ADMISSION NO. 29: Credigy Rec. admits that
11 Eskanos & Adler, P.C., represented it in the Suit.

12 RESPONSE:

13
14 REQUEST FOR ADMISSION NO. 30: Credigy Rec. admits that
Mann Bracken, LLC, represented it in the Suit.

15 RESPONSE:

16
17 REQUEST FOR ADMISSION NO. 31: Credigy Rec. admits that
18 the debt it was trying to collect in the Suit was a "debt" as
defined in 15 U.S.C. § 1692a(5).

19 RESPONSE:

20
21 REQUEST FOR ADMISSION NO. 32: Credigy Rec. admits that
22 the plaintiffs herein are "consumers" as defined in 15 U.S.C.
§ 1692a(3).

23 RESPONSE:

24
25 REQUESTS FOR PRODUCTION

26 REQUEST FOR PRODUCTION NO. 1: Please produce all non-
27 PLAINTIFFS' FIRST DISCOVERY REQUESTS
28 TO DEFENDANT CREDIGY RECEIVABLES, INC. - 19/22

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1
2 privileged documents of Credigy Rec. and Mann about filing
3 Lawsuits in Courts.

4 RESPONSE:

5
6 REQUEST FOR PRODUCTION NO. 2: Please produce copies of
7 all written communications to and from debtors.

8 RESPONSE:

9 REQUEST FOR PRODUCTION NO. 3: Please produce all non-
10 privileged documents about Lawsuits in Courts in which Mann
11 used the Procedure.

12 RESPONSE:

13
14 REQUEST FOR PRODUCTION NO. 4: Please produce all docu-
15 ments, including contracts, minutes of shareholder and/or
16 boards of directors meetings about the relationship among any
17 of the Credigy companies.

18 RESPONSE:

19 REQUEST FOR PRODUCTION NO. 5: Produce all documents
20 used in answering the interrogatories in this discovery re-
21 quest.

22 RESPONSE:

23 REQUEST FOR PRODUCTION NO. 6: Please produce all docu-
24 ments for the Washington State Department of Licensing, De-
25 partment of Revenue and Secretary of State Corporation Divi-
26 sion for Credigy Rec.

27 RESPONSE:

28 PLAINTIFFS' FIRST DISCOVERY REQUESTS
TO DEFENDANT CREDIGY RECEIVABLES, INC. - 20/22

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1
2 REQUEST FOR PRODUCTION NO. 7: Please produce all docu-
3 ments about this the Suit and the debt you were attempting to
4 collect through it.

5
6 RESPONSE:

7 REQUEST FOR PRODUCTION NO. 8: If you have any documents
8 which use abbreviations, please supply a copy of the docu-
9 ments in which all abbreviations are "unabbreviated" and
10 written out in full and a copy of a glossary or the like for
11 any abbreviations.

12 RESPONSE:

13 DATED this ____ day of March, 2009.

14
15 John A. Long WSBA No. 15119
16 Attorney for Defendant Credigy
17 Receivables, Inc.

18 STATE OF _____)

19 COUNTY OF _____)

20 ss:

21 _____, being first duly
22 sworn on oath according to declares and deposes that I am the
23 _____, of Credigy Receivables, Inc.
24 have read the answers to interrogatories, requests for admis-
25 sions and requests for production of documents have personal
26 knowledge of them and know the answers and responses to be
27 true and correct to the best of my knowledge, information and
28 belief.

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1
2 SUBSCRIBED AND SWORN TO before me this ____ day of March,
3 2009.
4

5 Notary Public in and for the
6 State of _____
7 residing at _____
8 My Commission expires _____
9

10
11
12 Certificate

13 I certify that I mailed a
14 copy of the foregoing Plaintiffs First
15 Discovery Requests
16 to J. Long & A. Shaffer, Defendants
17 attorneys at Their offices
18 postage prepaid,
19 on 3/2/2009 James Sturdevant
20 attorney for Plaintiff
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28 PLAINTIFFS' FIRST DISCOVERY REQUESTS
TO DEFENDANT CREDIGY RECEIVABLES, INC. - 22/22

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AREA CODE 360

April 24, 2009

John A Long
22525 SE 64th Place, Suite 262
Issaquah, WA 98027-5387

Re: Knight, et ux. v. Credigy Receivables, Inc.

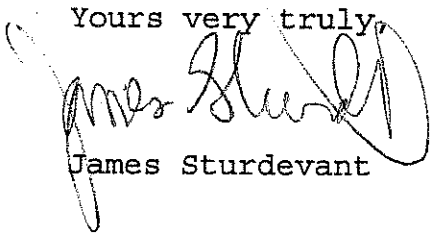
Dear Sir:

On March 2, 2009, I mailed you discovery requests. Far more than 30 days have expired and I have heard nothing from you about the discovery request.

I thus am setting a discovery conference under Fed. R. Civ. P. 37(b)(D) with you on Tuesday, April 28, 2009, at 11:00 o'clock A.M. If you need to reschedule, please let me know.

With best regards,

Yours very truly,


James Sturdevant

cc: Chloe Hager
Enclosure
JS:ah

Exhibit "B"

Current Folder: **Knight**[Sign Out](#)[Compose](#) [Addresses](#) [Folders](#) [Options](#) [Search](#) [Help](#)[OpenAccess.org](#)[Message List](#) | [Delete](#)[Previous](#) | [Next](#)[Forward](#) | [Forward as Attachment](#) | [Reply](#) | [Reply All](#)**Subject:** RE: Knight v. Credigy**From:** "John Long" <john@johnlonglaw.com>**Date:** Mon, April 27, 2009 4:14 pm**To:** sturde@openaccess.org**Priority:** Normal**Options:** [View Full Header](#) | [View Printable Version](#) | [Download this as a file](#) | [View Message details](#)

Can you email the discovery in a word format and I can get it out asap?

-----Original Message-----

From: sturde@openaccess.org [<mailto:sturde@openaccess.org>]

Sent: Monday, April 27, 2009 3:17 PM

To: John Long

Subject: RE: Knight v. Credigy

I have suggested Mac Archibald. As to the discovery, I sent it to your address on or about March 3, 2009. There are admissions in it. And the discovery motion deadline is May 18, 2009.

> Hi Mr. Sturdevant,

>

> I am happy to work with you on mediation. As to discovery, I am not
> familiar with what you are talking about. I have relocated my offices
> (same
> address but from virtual office to actual space and assume something may
> have been lost in the process. I will contact you to work out whatever
> you
> need later today or we can handle the problem at 11:00 tomorrow.

>

> John Long

>

>

>

> -----Original Message-----

> From: sturde@openaccess.org [<mailto:sturde@openaccess.org>]

> Sent: Monday, April 27, 2009 1:04 PM

> To: john@johnlonglaw.com

> Subject: Re: Knight v. Credigy

>

> Dear Mr. Long.

>

> Mr. Shafer and I are attempting to set up a mediation. You represent
> Credigy. I sent Credigy discovery about seven weeks ago and you have not
> responded. So I am going to move for summary judgment against Credigy.
> We need your input on the mediation. And I have set a discovery
> conference for tomorrow at 11:00 A.M.

Exhibit "C"

>
> With best regards,
>
> James Sturdevant
>
>
>

[Take Address](#)

Current Folder: **Knight**[Sign Out](#)[Compose](#) [Addresses](#) [Folders](#) [Options](#) [Search](#) [Help](#)[OpenAccess.org](#)[Message List](#) | [Delete](#)[Previous](#) | [Next](#)[Forward](#) | [Forward as Attachment](#) | [Reply](#) | [Reply All](#)**Subject:** Re: Knight v. Credigy**From:** sturde@openaccess.org**Date:** Tue, April 28, 2009 9:22 am**To:** john@johnlonglaw.com**Priority:** Normal**Options:** [View Full Header](#) | [View Printable Version](#) | [Download this as a file](#) | [View Message details](#)

Attached are our first discovery requests to Credigy.

With best regards,

James Sturdevant

Attachments:[OurDiscoveryToCredigy.doc](#)

160 k [application/octet-stream]

[Download](#)[Take Address](#)

Exhibit "D"

Current Folder: **Knight**[Sign Out](#)[Compose](#) [Addresses](#) [Folders](#) [Options](#) [Search](#) [Help](#)[OpenAccess.org](#)[Message List](#) | [Delete](#)[Previous](#) | [Next](#)[Forward](#) | [Forward as Attachment](#) | [Reply](#) | [Reply All](#)**Subject:** Re: Knight v. Credigy**From:** sturde@openaccess.org**Date:** Tue, April 28, 2009 9:30 am**To:** john@johnlonglaw.com**Priority:** Normal**Options:** [View Full Header](#) | [View Printable Version](#) | [Download this as a file](#) | [View Message details](#)

The prior one was incorrect. This is the correct one. It is 22 instead of 16 pages long.

With best regards,

James Sturdevant

Attachments:[OurDiscoveryToCredigy.doc](#)

180 k [application/octet-stream]

[Download](#)[Take Address](#)